



# Winnipeg Zoning By-Law Review (2016)

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Please feel free to explore the information and share your comments

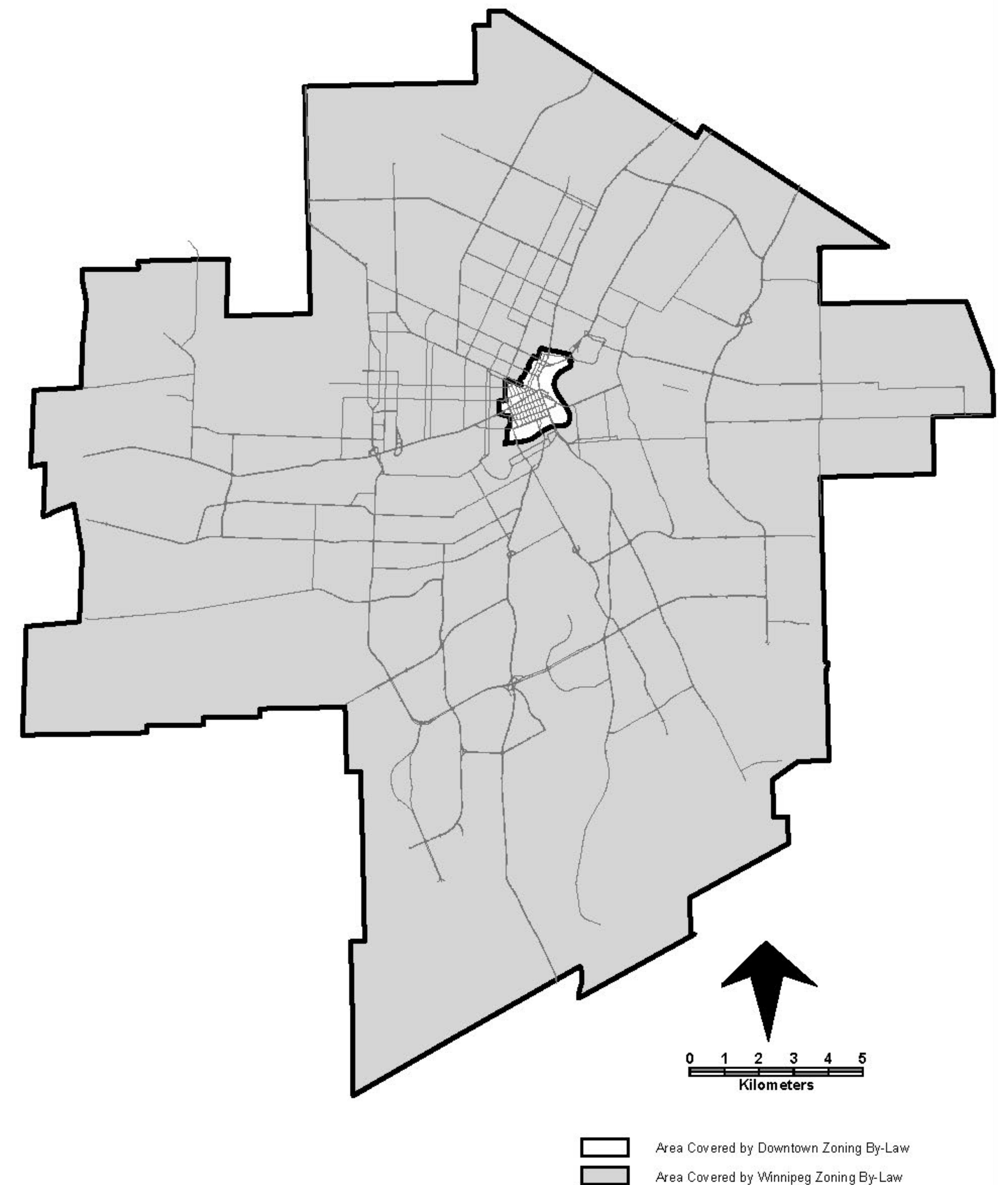
City staff are on hand to answer your questions

Please fill out a survey - available at the entry table or online at [winnipeg.ca/zoningreview](http://winnipeg.ca/zoningreview)



# INTRODUCTION

- As part of the OurWinnipeg Implementation Plan, the City has committed to reviewing the City's two zoning by-laws - the Winnipeg Zoning By-law and the Downtown Zoning By-law - on a regular basis to address any errors and omissions, and to improve clarity or alignment with policies of *OurWinnipeg* and the *Complete Communities Direction Strategy*.
- The present initiative deals only with the area covered by the Winnipeg Zoning By-Law, which is area shown in grey on the map to the right.
- This initiative involves text amendments, or small adjustments, to zoning regulations. This is not a comprehensive review of zoning, and there are no zoning map changes.
- 11 'major' amendments, and 66 'minor' amendments, are proposed. The minor amendments include wording corrections, clarifications, or functional improvements to the By-Law. They are identified on the last two display boards. Staff are available to provide more information on them if desired.





# MODERNIZE ZONING STANDARDS FOR CARE HOMES AND NEIGHBOURHOOD REHABILITATION HOMES

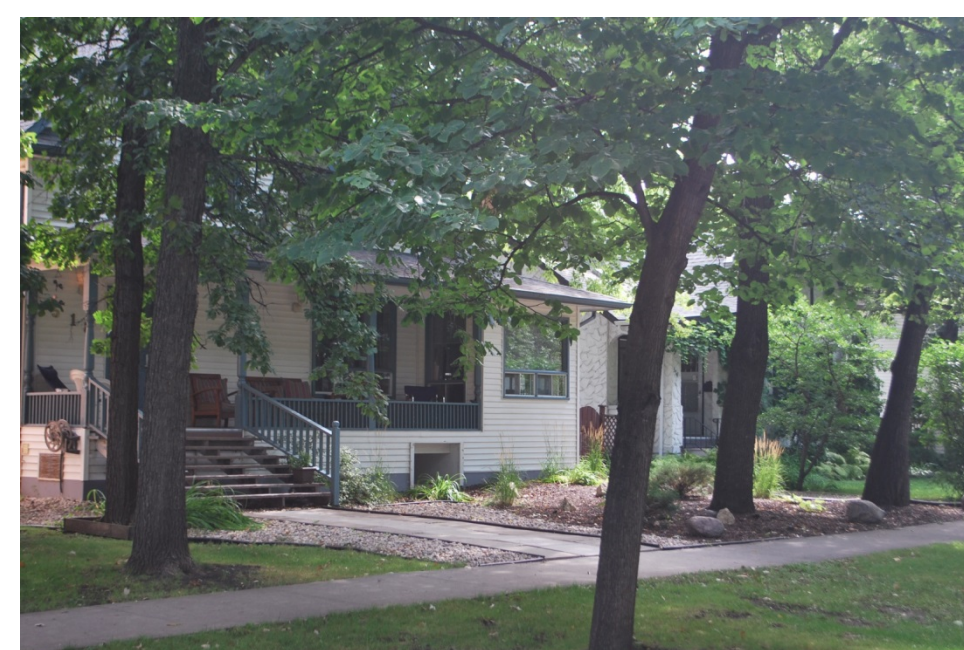
## RECOMMENDATIONS:

- Eliminate the current separation distance requirements for care homes and neighbourhood rehabilitation homes.
- Include a maximum of 6 persons per neighbourhood rehabilitation home in single-family, two-family and rural residential districts.
- Retain the current maximum of 6 persons for care homes.
- Include language in the definitions to ensure that care homes and neighbourhood rehabilitation homes are developed in a manner similar to single-family homes when located in single-family, two-family and rural residential districts.
- Make no changes to the zoning districts in which care homes and neighbourhood rehabilitation homes are currently permitted or conditional.

## RATIONALE:

- Separation distances can limit the choice of residents of care homes or neighbourhood rehabilitation homes.
- Ensuring development similar to surrounding residential development, and adding a maximum number of occupants for neighbourhood rehabilitation homes, are measures that will help maintain compatibility with neighbouring properties.

**POLICY CONTEXT:** *OurWinnipeg* section 01-4 : “support diverse housing options in each neighbourhood or neighbourhood cluster”



A *Care Home* is a residential building for the care, treatment or supervision of persons. Care Homes are small (up to 6 persons under existing zoning).

A *Neighbourhood Rehabilitation Home* is a residential building that provides mandatory supervision or treatment of persons discharged from a penal institution or who are receiving supervision or treatment for alcohol or other drug additions. Neighbourhood Rehabilitation Homes currently have no size limits.



# ALLOW BODY MODIFICATION ESTABLISHMENTS AS A PERMITTED USE IN DISTRICTS WHERE THEY ARE CURRENTLY CONDITIONAL

## RECOMMENDATION:

- Allow Body Modification Establishments as a permitted use in districts where they are currently a conditional use. (“C2” Commercial Community, “C3” Commercial Corridor, “C4” Commercial Regional, and “MMU” Manufacturing Mixed Use)

## RATIONALE:

- Since the Winnipeg Zoning By-law was adopted in 2008, there have been 28 applications for Body Modification Establishments. All 28 applications have been recommended for approval, and there has been minimal public opposition to them.
- Body Modification Establishments are licensed by the City of Winnipeg and are registered under the Health Protection Unit of the Province of Manitoba.

**POLICY CONTEXT:** *Complete Communities* policy section 06-3 : “ensure communities have a range of commercial services to meet their local needs”



Images: Google Street View

*Body Modification Establishments* include uses such as body piercing and tattoo parlours.



# PERMIT CALL CENTRES IN THE “C2” DISTRICT, WITH SIZE LIMITATIONS

## RECOMMENDATION:

- Make call centres a permitted use, with size limitations, in the “C2” Commercial Community zoning district.
- Limit floor area to 40,000 square feet in this district as a use specific standard.

## RATIONALE:

- Currently, call centres are prohibited in the “C2” district.
- There has been demand for small-scale call centres in the “C2” district.
- Call centres are often compatible with other uses that are permitted in the “C2” district, such as offices.
- Although call centres may operate outside of regular office hours, they generally have little impact on other uses.

## POLICY CONTEXT:

*Complete Communities* policy section 06-3 :

“recognize and support the role that commercial businesses play in local employment”



Image: Shaw Communications



# ACCOMMODATE CRAFT BREWERIES, DISTILLERIES AND WINERIES IN MORE DISTRICTS

## RECOMMENDATIONS:

- Add “craft-breweries, distillery or winery” as a new principal use. This use would accommodate a small-scale brewery with a tasting room or other associated commercial sales and service uses.
- Add “craft-brewery, distillery or winery” as a permitted use in larger-scale commercial and industrial districts (C3, C4, MMU, M1, M2, M3); and as a conditional use in the C2 and CMU districts.
- Require the following use specific standards for these uses in the C2, CMU, C3, and C4 districts:
  - Maximum gross floor area of 5,000 sq. ft.
  - A minimum of 10% of the floor area must be dedicated to an accessory tasting room or an associated commercial sales and service use.
- Restrict these uses in Planned Development Overlay districts, to govern them in a similar manner as drinking establishments.
- Require 1 parking space per 1,000 sq. ft. of gross floor area, but no less than 2 spaces (parking category 10).

## RATIONALE:

- Breweries, distilleries and wineries can currently be established in manufacturing districts. However, smaller-scale breweries (often referred to as a “craft breweries” or “micro-breweries”) cannot currently be established in any non-industrial districts.
- Craft breweries are increasing in popularity and there has been demand for them in commercial areas where there are restaurants, drinking establishments and similar uses. The Province of Manitoba has recently launched a Craft Breweries Strategy. Adding “Craft Brewery, Distillery or Winery” in commercial areas supports this growing industry.

## POLICY CONTEXT:

*Complete Communities* section 06-3:  
“recognize and support the role that commercial businesses play in local employment”





# BETTER ACCOMMODATE MICRO BREWERIES, DISTILLERIES AND WINERIES

## RECOMMENDATIONS:

- Permit micro-breweries, distilleries and wineries in small-scale commercial and mixed-use districts (C1, C2, CMU) and in industrial (M1, M2), where they are currently conditional. (*Micro-breweries, distilleries and wineries are an accessory use rather than a principal use*).
- Adjust the definition of “micro-brewery, distillery or winery” to ensure that beer made onsite can be sold offsite, and to ensure that the size of operation does not exceed the gross floor area requirements of the associated restaurant or drinking establishment.

## RATIONALE:

- A micro-brewery, distillery or winery is an accessory use that can currently be established in conjunction with restaurants or drinking establishments, but the beer or alcohol produced cannot be sold offsite to other restaurants, drinking establishments or wholesalers, which is inconsistent with Provincial regulations.

## POLICY CONTEXT:

Complete Communities section 06-3 :

“recognize and support the role that commercial businesses play in local employment”

*What's the difference between a micro-brewery and a craft brewery?*

A “**craft-brewery**, distillery or winery” is a **principal use** where brewing is the primary function of the use and a smaller-scale commercial component may be developed with the brewery, such as a tasting room or gift shop. A “**micro-brewery**, distillery or winery” is an **accessory use** that can only be developed in conjunction with a restaurant or drinking establishment (bar) use.



Image: Drive Europe News



# ALLOW FOR LIMITED, SHARED PARKING

## RECOMMENDATIONS:

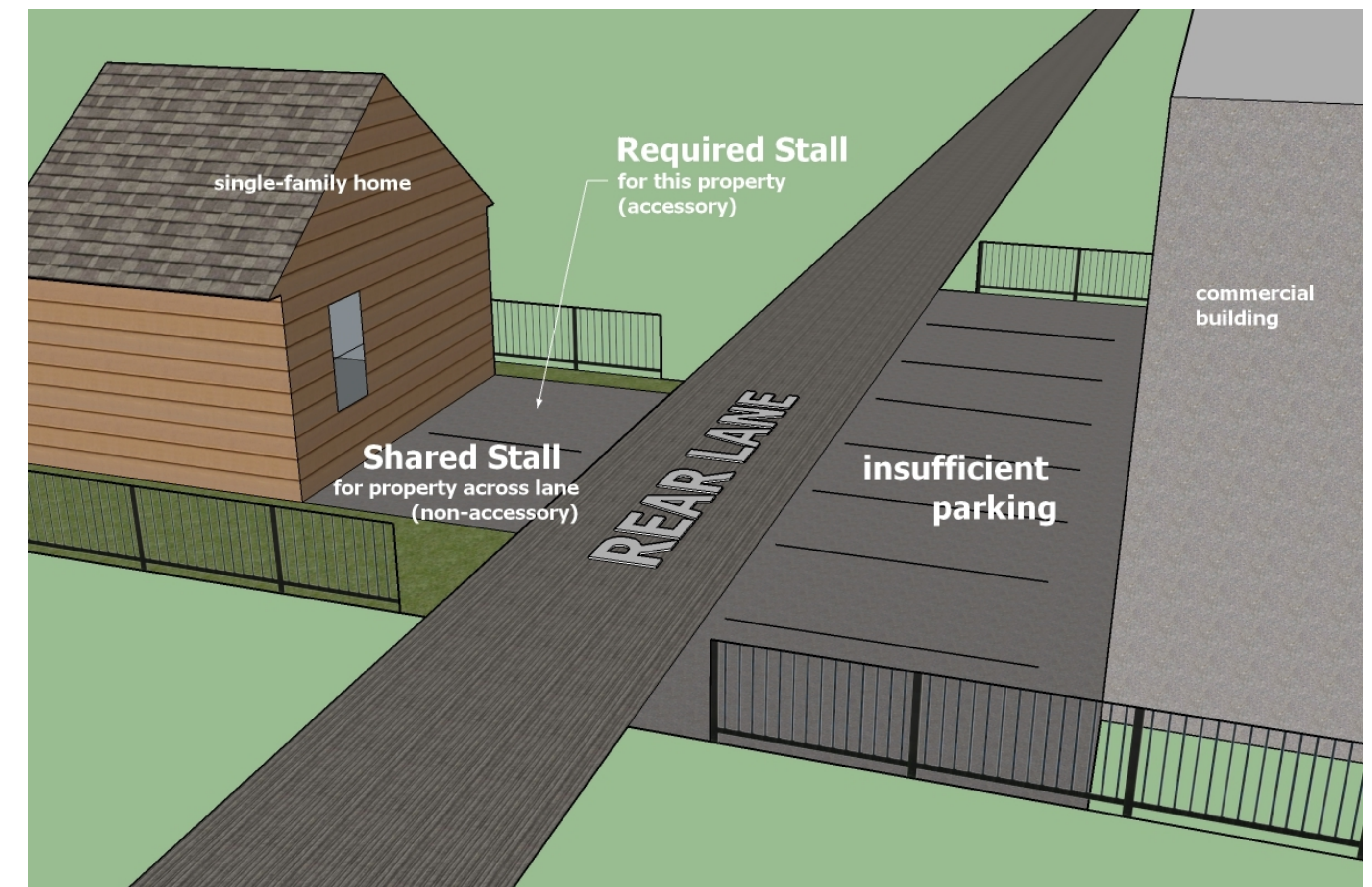
- Allow for limited, shared parking (onsite parking made available to offsite users) in the R1 - Residential Single-family and R2 - Residential Two-family districts.
- Allow maximum of one stall to be shared on a 25-49 foot wide lot; and a maximum of two on lots 50 feet or wider.
- Shared parking stalls must take access from a paved lane, must not have onsite advertising, and must meet all other parking standards in the Zoning By-Law.

## RATIONALE:

- Many situations arise in which there is excess parking available on residential lots, and such parking would be helpful to support an adjacent infill development with insufficient parking.
- Regulations would provide new options and bring the practice into alignment with standards acceptable to the City and community.

## POLICY CONTEXT:

*Complete Communities* section 02 (urban structure): “provide flexible tools for implementation”



Example of shared parking



# CLARIFY PARKING IN FRONT YARDS WITHIN SMALL-SCALE COMMERCIAL AND MIXED-USE DISTRICTS

## RECOMMENDATIONS:

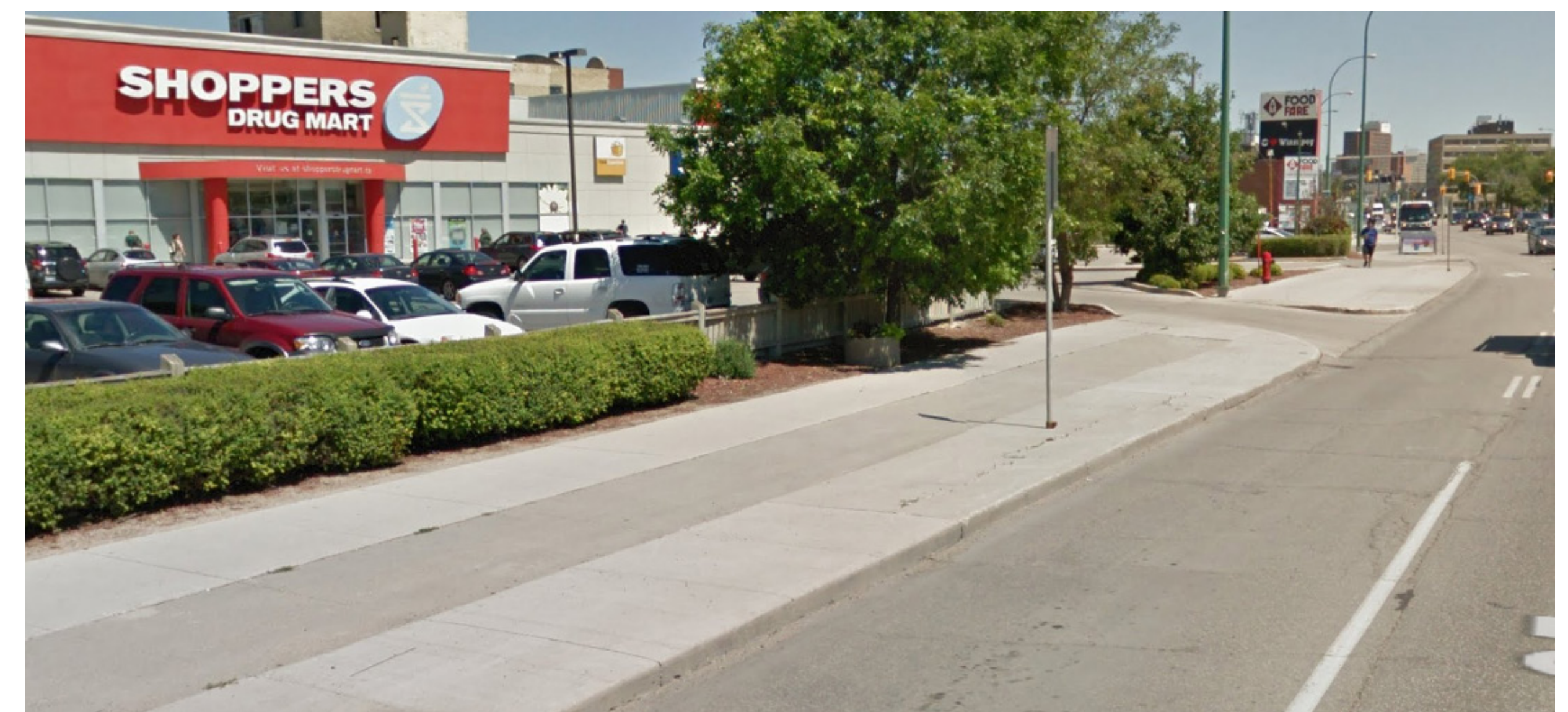
- Clarify that the current allowance for a front yard of zero feet in small-scale commercial and mixed use districts is intended for principal buildings, not for parking.
- This adjustment would clarify that in “C1” Commercial Neighbourhood, “C2” Commercial Community and “CMU” Commercial Mixed-Use districts, a minimum front yard of 10 feet is required for open parking or loading areas and queuing spaces located in front of a principal building.

## RATIONALE:

- This adjustment will allow either a principal building or a landscaped area within 0-10 feet of the front property line. Open parking, loading areas and queuing spaces will need to be set back further than 10 feet; or behind or beside the principal building.
- Part of achieving vibrant commercial streetscapes on corridors and in commercial areas is to present the most engaging types of development on a site – the buildings and landscaping – close to the street.

## POLICY CONTEXT:

*Complete Communities* policy direction 4: “encourage the creation of vibrant and high quality commercial developments”



These images show onsite commercial parking either behind the building or behind landscaping, at a minimum distance of 10 ft. from the front property line. Images: Google Street View.



# ADJUST THE MAXIMUM SURFACE AREA FOR SIGNS ATTACHED TO A BUILDING

## RECOMMENDATIONS:

The maximum surface area for signs attached to a building wall is currently calculated as a proportion of the total area of the **first 3 storeys of the building wall (or the total area of the first 45 feet of height, whichever is lesser)**. It is recommended that the City:

- Adjust the above regulation so that the maximum is calculated based on the total size of the **first storey of the building wall (or the total area of the first 15 feet of height, whichever is lesser)**.

## RATIONALE:

- Issues have arisen regarding excessive fascia signage on some commercial buildings, resulting in a negative impact on the street.
- Adjusting this standard will better align with the Downtown By-Law and be more consistent with dimensions of signs typically being built.

## POLICY CONTEXT:

*Complete Communities* policy direction 4: “encourage the creation of vibrant and high quality commercial developments”



These images show examples of fascia signs that would meet the proposed by-law change. For reference, the Superstore shown above has +/-1,400 sq. ft. of fascia signage (total). Under the existing regulations, the Superstore would be allowed +/-4,000 sq. ft. of fascia signage; the proposed change would allow up to +/-1,800 sq. ft. of fascia signage. Images: Google Street View.



# REQUIRE LANDSCAPING IMPROVEMENTS WHEN A SIGNIFICANT PORTION OF A SITE IS REDEVELOPED

## RECOMMENDATIONS:

- Require landscaping improvements in accordance with Section 191.1 of the Winnipeg Zoning By-Law, when a significant portion of a site is redeveloped.

## RATIONALE:

- Currently, section 191.1 of the Winnipeg Zoning By-Law requires landscaping improvements upon expansion of a building, but not when a lot is otherwise redeveloped.
- Situations have arisen where significant portions of a lot are repaved, expanded or otherwise redeveloped but no landscaping is provided, because landscaping is not currently required in these situations.

## POLICY CONTEXT:

*Complete Communities* policy direction 4: “encourage the creation of vibrant and high quality commercial developments”



Site landscaping.



# ALLOW A 20% PARKING REDUCTION IN MATURE COMMUNITY AREAS, WITH LIMITATIONS

## RECOMMENDATIONS:

- The City currently offers a 20% optional reduction in parking spaces in the Urban Infill Area in instances where a property (i) currently does not meet the minimum standards for accessory off-street parking, or (ii) the property is located with frontage on a public transit route with regular daily service. This reduction only applies to multi-family; commercial; public and institutional; cultural and entertainment; or industrial uses.

It is recommended that the City:

- Extend this 20% parking reduction to include the Urban Infill Area as well as Mature Communities as identified in the *Complete Communities Direction Strategy*.

## RATIONALE:

- Complete Communities* strongly supports pedestrian friendly development and multiple modes of transportation.
- Reduced parking requirements help meet these goals and also provide more flexibility for development in Mature Communities (areas in which lots are often smaller/more shallow).

## POLICY CONTEXT:

*Complete Communities* policy section 04 : "accommodate development that is compatible with the existing built form"





# PERMIT “ATTACHED” SECONDARY SUITES WHILE ENSURING THEY REMAIN SMALL IN SIZE

## RECOMMENDATIONS:

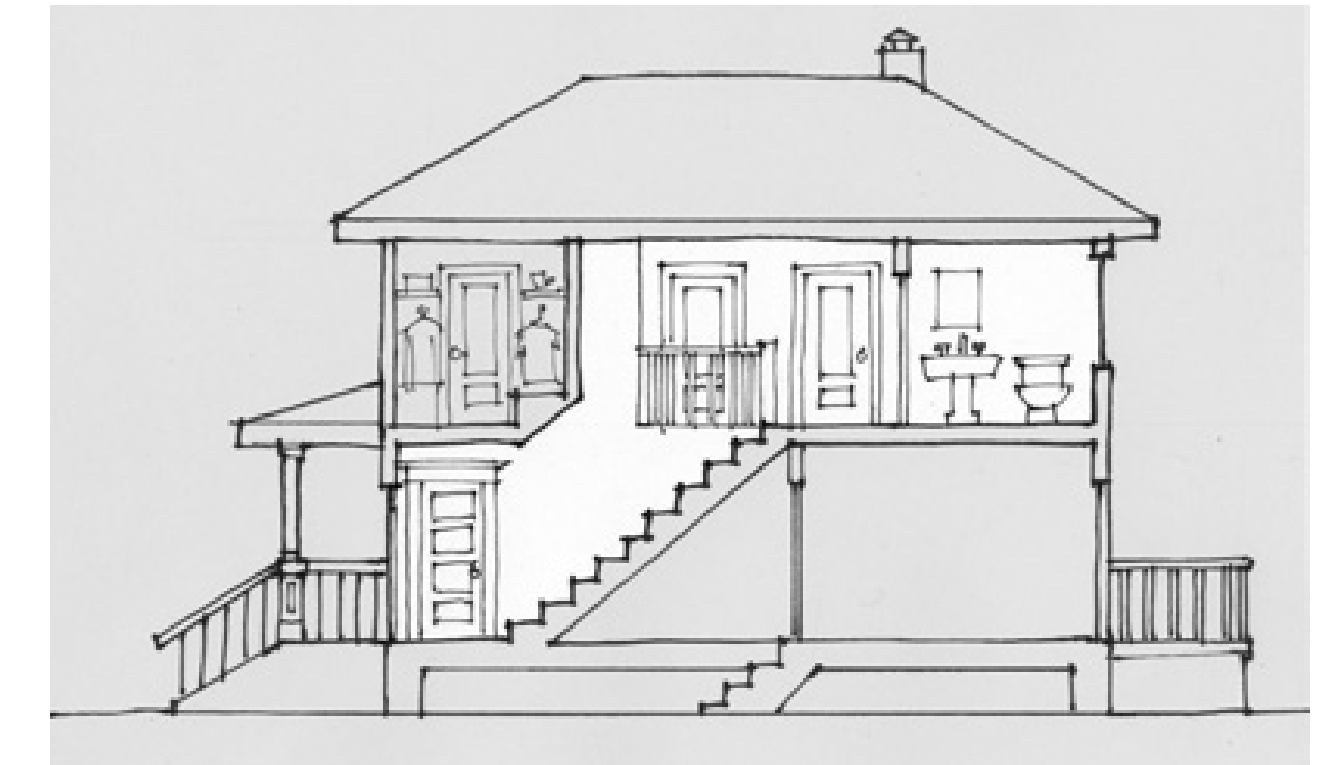
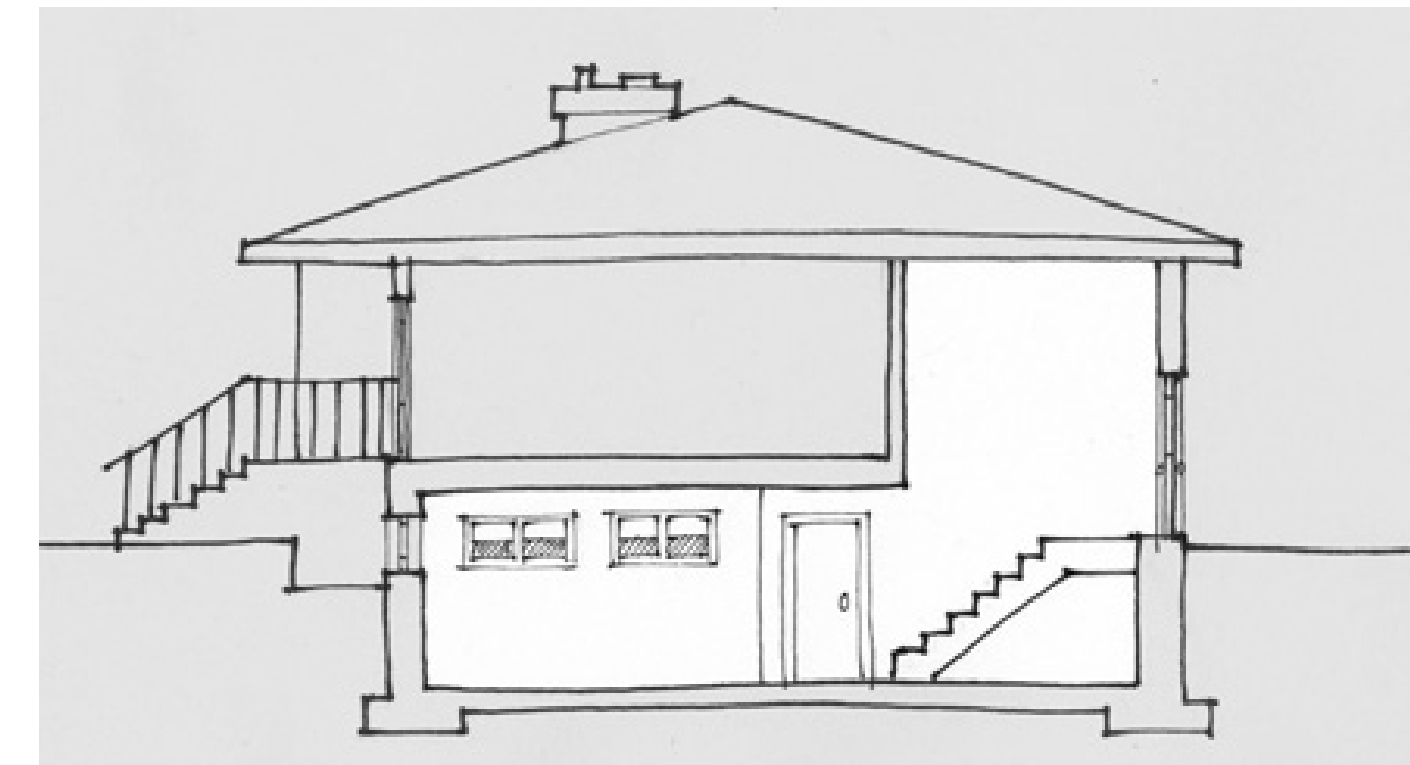
- Permit attached secondary suites, and ensure they are smaller than the homes they are constructed within.
- Adjust the existing use specific standard under section 120(1)(c) so that the maximum size of an attached secondary suite may be no more than 33 percent of the floor area of the dwelling, or 800 sq. ft., whichever is less.

## RATIONALE:

- Since 2008, when attached secondary suites were added to Zoning By-law 200/2006, there have been more than 140 applications approved with little or no public opposition. Relaxing the approval process would remove a regulatory hurdle and provide a financial incentive by removing the associated conditional use application fee.
- Adjusting the maximum size will ensure that attached secondary suites are smaller than the principal dwelling and do not get developed as duplexes.

## POLICY CONTEXT:

*Complete Communities* policy section 04 : “accommodate development that is compatible with the existing built form”



Attached secondary suite examples





# 'MINOR' CHANGES

- Add a 2-year expiration period for variances to align with the standard for conditional uses
- Add a definition for "Dwelling, row", in order to regulate parking for this type of multi-family use
- Add a definition for "Dwelling, semi-detached"
- Adjust definitions of Auto/light truck/ motorcycle sales and rental" and "Auto/light truck/motorcycle, repair and service" to accommodate boat and recreational vehicle sales and repair
- Modify the definition of major and minor home-based businesses to clarify that they should not adversely affect the residential character of the area in which they are located
- Remove pet grooming facilities from the definition of "Kennel", in order to allow them in an expanded range of zoning districts
- Modify the definition of "prohibited use", to clarify that variances to allow for uses expressly prohibited in the Zoning By-law cannot be established
- Add a definition for "Vehicle display area"
- Modify the intent statement of Commercial Community (C2) district, to clarify that residential is an allowable use in this district
- Modify the intent statement of Commercial Regional (C4) district, to clarify that residential is not an allowable use in this district
- Prohibit "Library" uses in Agricultural districts
- Amend Section 67.1 dealing with residential above commercial, to ensure that the ground floor of a building is not used for parking
- Correct an illustration to better reflect that digital signs are restricted in Traffic Decision Locations, directed at traffic flows in both directions
- Remove retails sales; and the sale of "boats, trailers, or other motorized vehicles" from Home-Based Businesses
- Restrict the maximum cumulative size of a minor home-based business to 25% of the gross floor area or 400 square feet, whichever is less
- Restrict the maximum cumulative size of a major home-based business to 25% of the gross floor area or 800 square feet, whichever is less
- Prohibit outdoor storage in the Agricultural (A) district
- Prohibit home-based businesses, care homes, and neighbourhood rehabilitation homes in secondary suites
- Allow detached secondary suites where there is no lane, in cases where the lot is located on a corner
- Clarify the description as to how lot coverage is calculated for detached secondary suites
- Restrict the number of single-family detached dwelling units in Agricultural (A) zoned lots to one



# 'MINOR' CHANGES

- Change the minimum lot width in the RR5 district to 300 feet; and in the RR2 district to 180 feet
- Create regulations for splitting Residential Two-Family (R2) lots that contain “row dwellings”
- Clarify that the regulations in Section 146(1) “Accessory Structures” only apply to multi-family structures in the RMF-M, RMF-L, and RMU zoning districts; clarify Section 146(1)(b) to ensure that all yard requirements must be met, and clarify that structures accessory to a multi-family structure in the RMF-S zoning district must meet the standards in section 142
- Adjust side yard provisions for roofs over exterior entrances to allow a projection no closer than foot to a side lot line
- Clarify that open parking, loading areas and queuing spaces are allowed in the rear yards of “A”, “RR5”, “RR2”, “R1”, and “R2” districts and in the side yards of single or two-family dwellings
- Require 1 parking space per dwelling unit for row dwellings that do not have a common parking area and 1.5 spaces per unit for row dwellings with a common parking area
- Require bicycle parking for elementary, junior and senior high schools
- Clarify that van accessible parking spaces are included as part of required accessible parking spaces
- Clarify that width of parking stalls abutting a wall applies also to angled parking stalls
- Specify that the 8-foot minimum width for a driveways is doubled for bidirectional driveways
- Clarify that both required and voluntary parking areas must meet parking surfacing standards
- Require ornamental fencing instead of the currently required post-and-chain fencing, for vehicle display areas
- Clarify that window signs covering more than 50% of an individual window (calculated between mullions) must meet standard signage regulations
- Eliminate the requirement to have breaks in a wall or fence after continuous lengths of 48 feet
- Allow taller fences (up to 8.5 feet) for properties that abut railroad rights-of-way
- Amend the Downtown Transcona PDO-1 to clarify which uses are permitted, conditional, or prohibited

## GOOD TO KNOW...

**10-15 CLERICAL/TYPOGRAPHICAL ERRORS IN THE WINNIPEG ZONING BY-LAW WILL BE WILL ALSO BE CORRECTED. IF YOU'D LIKE TO KNOW MORE ABOUT THESE, PLEASE ASK ONE OF THE PEOPLE STAFFING THIS OPEN HOUSE.**



# NEXT STEPS

- Please provide feedback by filling out a survey – available at the entry table or online at [winnipeg.ca/zoningreview](http://winnipeg.ca/zoningreview) (click the “Engage” tab). The deadline to provide your feedback is October 27, 2016.
- To get in touch with the project team , email [PPD-zoningreview@winnipeg.ca](mailto:PPD-zoningreview@winnipeg.ca).
- For updates on the project including public hearing dates, visit [winnipeg.ca/zoningreview](http://winnipeg.ca/zoningreview) and/or sign-up on that webpage to receive emails (click the “Engage” tab).
- The proposed zoning adjustments will be considered by Standing Policy Committee on Property and Development, Heritage and Downtown Development, at a public hearing anticipated in the winter. The Public Hearings are the last formal opportunity for public input.
- Thank you for attending and providing your feedback!